



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

*Am*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/538,624	03/29/2000	Nosakhare D. Omoigui	MS1-272USC1	8365
45979	7590	05/11/2005	EXAMINER	
PERKINS COLE LLP/MSFT P. O. BOX 1247 SEATTLE, WA 98111-1247			JACOBS, LASHONDA T	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 05/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/538,624

Applicant(s)

OMOIGUI ET AL.

Examiner

LaShonda T. Jacobs

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-28 and 59-93 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-28 and 59-93 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

This Office Action in response to Applicants' RCE filed on February 22, 2005. Claims 1-23 and 29-57 have been cancelled. Claims 24-28 are presented for further examination. Applicants' newly added claims 58-93 are also presented for examination.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **24-28** and **59-93** are rejected under 35 U.S.C. 102(e) as being anticipated by Kinney et al (hereinafter, "Kinney", U.S. Pat. No. 5,808,662).

As per claim **24**, Kinney discloses:

- a master control component to maintain a master timeline for a multimedia presentation (col. 5, lines 4-18; Kinney discloses a GUI interface (master control) that is used by a user to control the playback of the movie (multimedia presentation) ); and
- a plurality of individual stream controls corresponding to individual data streams for the multimedia presentation, wherein each of the plurality of individual stream controls is to maintain a timeline for the corresponding individual data stream (col. 5, lines 22-35;

Kinney discloses a control panel that includes different controls button in order to control audio or image, etc tracks (individual streams controls)).

As per claim **25**, Kinney discloses:

- a user request for a new playback speed and communicate the new playback speed to the plurality of individual stream controls (col. 5, lines 52-64).

As per claim **26**, Kinney discloses:

- communicating the new playback speed to the plurality of individual stream controls by sending a message to each of the plurality of individual stream controls (col. 5, lines 52-64).

As per claim **27**, Kinney discloses:

- wherein each of the plurality of individual stream controls is to monitor the master timeline and adjust the timeline a maintained by the stream control to maintain synchronization with the master timeline (col. 5, lines 65-66 and col. 6, lines 1-9).

As per claim **28**, Kinney discloses:

- wherein the plurality of data streams include one or more of an image stream, a text stream, and an animation stream (col. 2, lines 66-67 and col. 3, lines 1-15).

As per claims **58**, **72** and **86**, Kinney discloses a method in a network client for synchronizing streams of a multimedia presentation, the streams located at one or more network servers, the method comprising:

- maintaining a presentation timeline using a master control (col. 5, lines 4-18; Kinney discloses a GUI interface (master control) that is used by a user to control the playback of the movie (multimedia presentation) );

- receiving the streams, each stream having a slave control (col. 5, lines 22-35; Kinney discloses a control panel that includes different controls button in order to control audio or image, etc tracks (individual streams controls));
- detecting an event that causes a change in the presentation timeline (col. 5, lines 52-64);
- modifying the master control's presentation timeline in response to the event (col. 5, lines 65-66 and col. 6, lines 1-9); and
- notifying each slave control that the presentation timeline has been modified, so that the slave controls can alter their streams to accommodate the modified presentation timeline (col. 5, lines 65-66 and col. 6, lines 1-9).

As per claims **59**, **73** and **87**, Kinney discloses:

- wherein the event is a decrease in the available bandwidth from one or more of the servers to the client (col. 3, lines 27-31).

As per claims **60**, **74** and **88**, Kinney discloses:

- wherein the event is an increase in the available bandwidth from one or more of the servers to the client (col. 3, lines 27-31).

As per claims **61**, **75** and **89**, Kinney discloses:

- wherein the event is a change in the speed of playback selected by a user viewing the presentation (col. 6, lines 1-9).

As per claims **62**, **76** and **90**, Kinney discloses:

- wherein the modifying of the master control's presentation timeline further comprises selecting particular streams for alteration (col. 5, lines 52-64).

As per claims **63**, **77** and **91**, Kinney discloses:

Art Unit: 2157

- wherein the selecting of particular streams is performed using a priority ranking provided to the master control (col. 6, lines 1-9).

As per claims **64**, **78** and **92**, Kinney discloses:

- wherein the selecting of particular streams is performed using a user-supplied ordered list provided to the master control (col. 5, lines 52-64).

As per claims **65**, **79** and **93**, Kinney discloses:

- wherein the altering of a stream by a slave control is selected from the group consisting of jumping ahead in the stream, pausing the stream, and time-scale modification of the stream (col. 4, lines 41-49 and col. 5, lines 36-51).

As per claims **66** and **80**, Kinney discloses:

- wherein the event is generated by the user choosing the manner of change to the presentation timeline (col. 5, lines 36-51).

As per claims **67** and **81**, Kinney discloses:

- wherein the individual streams include one or more of an image stream, a text stream, and an animation stream (col. 2, lines 66-67 and col. 3, lines 1-15).

As per claims **68** and **82**, Kinney discloses:

- wherein the slave controls are located at the network servers (col. 3, lines 16-26).

As per claims **69** and **83**, Kinney discloses:

- wherein the slave controls are located at the network client (col. 2, lines 66-67 and col. 3, lines 1-15).

As per claims **70** and **84**, Kinney discloses:

Art Unit: 2157

- wherein multiple slave controls are located at the same network server (col. 2, lines 66-67 and col. 3, lines 1-15).

As per claims 71 and 85, Kinney discloses:

- wherein the streams are received from different servers (col. 2, lines 66-67 and col. 3, lines 1-15).

### *Response to Arguments*

3. Applicant's arguments with respect to claims 24-28 and 58-93 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004.

The examiner can normally be reached on 8:30 A.M.-5:00 P.M..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs  
Examiner  
Art Unit 2157

ltj  
May 5, 2005

  
**ARLO ETIENNE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**